

County Attorney

Department Overview

The Office of County Attorney prosecutes all felony crimes committed in the County, as well as all misdemeanor crimes committed outside of the limits of the incorporated cities and towns. The Office handles all abuse and neglect cases and juvenile cases. It advises crime victims in a competent and professional manner. The Office of County Attorney promotes public safety and ensure offender accountability by handling an increasing criminal caseload; advocating for victims and victim's rights; facilitating financial restitution for victims; creating and refining processes to deal with criminal justice issues; providing sound legal advice to all offices, departments, and local government entities; and providing good representation for the County in all civil cases.

Staffing for the office includes: six administrative support positions; seven criminal, youth and juvenile prosecutors, three civil attorneys, the County Attorney; and one victim/witness support positions. The department also reviews, monitors, and bills third party insurance for payment of mental evaluations within the County.

Department Goals

- To protect public safety and ensure offender accountability by handling the ever increasing criminal caseload.
- To advocate for victims and victim's rights.

- To facilitate financial restitution for victims.
 - To create and refine processes to deal with criminal justice issues.
 - To provide sound legal advice to all County offices, departments and local government entities (special districts).
 - To provide good representation for the County in all civil cases.
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Recent Accomplishments

- The sexual assault team has improved the investigation and prosecution of sexual assault cases in Gallatin County
- The County Attorney filed Montana's first enforcement action regarding unlawful diversion of water
- The civil staff dealt with myriad development issues such as county-wide zoning, transfer of development rights, and water resources

GENERAL GOVERNMENT

County Attorney

Department Budget

| Object of Expenditure | Actual FY 2007 | Final FY 2008 | Actual FY 2008 | Request FY 2009 | Preliminary FY 2009 | Final FY 2009 |
|-----------------------|---------------------|---------------------|---------------------|---------------------|------------------------|---------------------|
| Personnel | \$ 905,927 | \$ 1,162,437 | \$ 1,102,420 | \$ 1,229,292 | \$ 1,185,347 | \$ 1,199,979 |
| Operations | 197,209 | 241,413 | 177,627 | 162,011 | 159,928 | 239,194 |
| Debt Service | - | - | - | - | - | - |
| Capital Outlay | - | 2,500 | 5,774 | - | - | - |
| Transfers Out | - | - | - | - | - | - |
| Total | \$ 1,103,136 | \$ 1,406,350 | \$ 1,285,821 | \$ 1,391,303 | \$ 1,345,275 | \$ 1,439,173 |

Budget by Fund Group

| | | | | | | |
|------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| General Fund | \$ 1,103,136 | \$ 1,406,350 | \$ 1,285,821 | \$ 1,391,303 | \$ 1,345,275 | \$ 1,439,173 |
| Special Revenue Funds | - | - | - | - | - | - |
| Debt Service Funds | - | - | - | - | - | - |
| Capital Project Funds | - | - | - | - | - | - |
| Enterprise Funds | - | - | - | - | - | - |
| Internal Service Funds | - | - | - | - | - | - |
| Trust & Agency Funds | - | - | - | - | - | - |
| Total | \$ 1,103,136 | \$ 1,406,350 | \$ 1,285,821 | \$ 1,391,303 | \$ 1,345,275 | \$ 1,439,173 |

Funding Sources

| | | | | | | |
|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| Tax Revenues | \$ 364,469 | \$ 516,656 | \$ 511,490 | \$ 479,878 | \$ 433,850 | \$ 516,656 |
| Non-Tax Revenues | 402,379 | 539,890 | 512,895 | 507,236 | 507,236 | 539,890 |
| Cash Reappropriated | 336,288 | 349,804 | 261,436 | 404,189 | 404,189 | 382,627 |
| Total | \$ 1,103,136 | \$ 1,406,350 | \$ 1,285,821 | \$ 1,391,303 | \$ 1,345,275 | \$ 1,439,173 |

Department Personnel

Personnel Summary

| No | FT/PT | Title | FTE |
|----|-----------|------------------------------|------|
| 1 | Full-Time | County Attorney | 1.00 |
| 1 | Full-Time | Chief Deputy County Attorney | 2.00 |
| 8 | Full-Time | Deputy County Attorneys | 8.00 |
| 3 | Full-Time | Legal Secretary III | 3.00 |
| 3 | Full-Time | Administrative Support | 3.00 |
| 1 | Full-Time | Property Witness Assistant | 1.00 |
| | Temporary | Intern (Summer 2008) | |

Total Program FTE 18.00

County Attorney

2009 Budget Highlights

Personnel

- .

Operations

-

Capital

-

County Commission Goals/Department Response

The County Commission established a set of overarching goals for the county government. Listed below are the County Commission's goals, followed by the methods by which the County Attorney Office is striving to fulfill those goals.

Exceptional Customer Service

- The office has seen only one not guilty verdict in a felony criminal case in the last two years.
- Deputies all obtained guilty verdicts in their first felony jury trials.
- The Civil Division opened 606 files on planning, contract, and litigation matters.

Be Model for Excellence in Government

- Continue and Enhance Victim Advocacy office.
- Meet public demand for civil health and zoning code enforcement.

Improve Communications

- Training and Staff meetings for improved communications.

To be the Employer of Choice

- Training and Staff meetings for improved communications.
- Maintain wages commensurate with private sector.

GENERAL GOVERNMENT

County Attorney

WORKLOAD INDICATORS/PERFORMANCE MEASURERS

| Workload Indicators | Actual | Actual | Estimated | Projected |
|--|---------|---------|-----------|-----------|
| Indicator | FY 2006 | FY 2007 | FY 2008 | FY 2009 |
| 1 . Felony requests for prosecution | 408 | 341 | 341 | |
| 2 . New Misdemeanor cases | 828 | 806 | 806 | |
| 3 . Requests for Prosecution-Both Felony & Misdemeanor | 437 | 428 | 428 | |
| 4 . Revocation - Dept. of Corrections | 113 | 110 | 110 | |
| 5 . Bad Check Cases | 404 | 193 | 193 | |
| 6 . Juvenile Cases opened | 83 | 117 | 117 | |
| 7 . Involuntary Commitments | 48 | 42 | 42 | |
| 8 . Post Conviction Relief cases | 15 | 8 | 8 | |
| 9 . Child Abuse & Neglect petitions filed | 21 | 39 | 39 | |
| 10 . Bail revocation cases filed | | 87 | 87 | |

| Performance Measures | Actual | Actual | Estimated | Projected |
|---|---------|---------|-----------|-----------|
| Measure | FY 2006 | FY 2007 | FY 2008 | FY 2009 |
| 1 . Increase use of victim/witness questionnaire to 90% | | | | |
| 2 . Percent Convicted of offense | | | | |
| 3 . Goal of plea to the "top count" 100% | | | | |

Comments